IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 9256 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE M.R.CALLA

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1. Whether Reporters of Local Papers may be allowed to see the judgement? : YES

2. To be referred to the Reporter or not? : YES

3. Whether Their Lordships wish to see the fair copy of the judgement? : YES

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : YES

5. Whether it is to be circulated to the Civil Judge? : YES

MAGANLAL BROTHERS & CO

Versus

STATE OF GUJARAT

Appearance:
MR TUSHAR MEHTA for Petitioner
MS HARSHA DEVANI, ld. AGP for Respondents Nos.1 to 3

CORAM : MR.JUSTICE M.R.CALLA

Date of decision: 15/09/2000

ORAL JUDGEMENT

This matter was listed before the Court along with other matters in the group for final hearing. Mr.Tushar Mehta has pointed out that he had filed a note dated 29th November 1999 in the Registry for withdrawing

this petition on the basis of the instructions given to him by his client, i.e. Maganlal Brothers & Co., Vadia. Such note is not available in the file of this case. The Registry may search out the same and in case that note along with the original instructions of Maganlal Brothers & Co. are found, the same may be included in the file.

Mr.Mehta has produced before this Court a copy of the note dated 29th November 1999 along with the xerox of the instructions given to him by his client for withdrawing this petition as have been retained by him. However, Mr.Mehta submits that he will be placing the copies of two documents on record during the course of the day. The same may be included in the file.

Having perused the copy of the note dated 29th November 1999 and the xerox copy of the instructions by the petitioner for withdrawing this petition, this Special Civil Application is hereby dismissed as withdrawn. The Rule is hereby discharged. The ad-interim order dated 24th December 1997 as confirmed on 19th January 1999 ceases to be operative and stands vacated. No order as to costs.

(M.R. Calla, J.)

Sreeram.